



IBM201DV1
Confirmation No. 3985

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph Philip Bigus et al. Art Unit: 2193
Serial No.: 10/078,013 Examiner: Jason D. Mitchell
Filed: February 19, 2002 Atty. Docket No.: IBM/201DV1
For: DISTRIBUTION MANAGEMENT OF INTELLIGENT AGENTS USING
DISTRIBUTION CONTROL INFORMATION

TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

Transmittal (in duplicate) containing Certificate of Mailing Under 37 CFR 1.8
Information Disclosure Statement
Substitute Form PTO-1449 (3 pages)
7 Other Art References
Reply Postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 23-3000.
A duplicate of this sheet is enclosed.

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
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By: 
Scott A. Stinebruner Reg. No. 38,323

CERTIFICATE OF MAILING 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 16, 2005.


Scott A. Stinebruner Reg. No. 38,323



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bigus et al. : Date: December 16, 2005
Group Art Unit: 2193 : IBM Corporation
Examiner: Jason D. Mitchell : Intellectual Property Law
Serial No.: 10/078,013 : Dept. 917, Bldg. 006-1
Filed: February 19, 2002 : 3605 Highway 52 North
Title: DISTRIBUTION MANAGEMENT : Rochester, MN 55901-7829
OF INTELLIGENT AGENTS USING
DISTRIBUTION CONTROL
INFORMATION

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO-1449 be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

12/22/2005 MBIZUNES 00000044 233000 10078013

Serial No. 10/078,013
Docket No. ROC920010146US2

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The references cited herein were previously cited in Information Disclosure Statements filed on February 19, 2002 and May 24, 2004, and it should be noted that each of these papers indicated that the cited references were previously cited in U.S. S/N 10/021,203, filed October 30, 2001, upon which the instant Application claims priority. Furthermore, the claim to priority was mentioned in each of these papers. Thus, pursuant to 37 CFR 1.98(d), no copies of these references were required to be submitted in the instant application.

Nonetheless, the Examiner indicated in the Office Action dated August 18, 2005 that the aforementioned Information Disclosure Statements, as well as the Information Disclosure Statement filed August 4, 2004, did not comply with 37 CFR 1.98(a)(2) as they lacked copies of the foreign and non-patent literature publications. It should be noted, however, that the Information Disclosure Statement filed August 4, 2004 did not contain any non-U.S. patent references, so the Examiner's indication in the Office Action did not apply to that paper.

Applicants discussed the Information Disclosure Statements with the Examiner on December 15, 2005, and the Examiner requested that Applicants resubmit copies of the non-U.S. patent references. Otherwise, the Examiner was in agreement that all of the art submitted by Applicants would be considered by the Examiner. Accordingly, the non-U.S. patent references have been resubmitted, along with copies, per the Examiner's request. Applicants do wish to reiterate for the record, however, that the original citations of these references were in compliance with 37 CFR 1.98, and as such, were timely submitted.

Applicants have also cited herein U.S. Patent No. 6,401,080, which was based upon U.S. S/N 08/821,935, one of the two applications cited in the Information Disclosure Statement filed February 19, 2002. Accordingly, no copy of this application is enclosed herewith. The other cited application, S/N 08/822,993, is abandoned, but a continuation thereof (U.S. S/N 09/100,595, filed on June 19, 1998) is currently under appeal. A copy of the original application is provided herewith along with the copies of the other non-U.S. patent references.

As a final matter, Applicants note that another Information Disclosure Statement was filed on August 16, 2005, but no initialed copy of the 1449 form has yet been received.

Applicants trust the Examiner will consider the art cited in that paper, and return an initialed copy of the 1449 form to Applicants in the Examiner's next communication.

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(c) before a final action or notice of allowance. The filing fee of \$180.00 (for other than a small entity) is to be charged to our Deposit Account No. 23-3000.

Date: December 16, 2005

Respectfully submitted,

By



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Serial No. 10/078,013
Docket No. ROC920010146US2

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. IBM/201DV1 (ROC920010146US2)	SERIAL NO. 10/078,013
		INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Joseph Philip Bigus et al.	Confirmation No. 3985
		(Use several sheets if necessary)		FILING DATE February 18, 2002	GROUP 2193

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER							ISSUE DATE	PATENTEE		CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A.A	6 4 0 1 0 8 0							6/4/20020	Bigus et al.		705	37	3/21/1997
	A.B													
	A.C													
	A.D													
	A.E													
	A.F													
	A.G													
	A.H													
	A.I													
	A.J													
	A.K													

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

		DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	A.L						
	A.M						
	A.N						
	A.O						
	A.P						
	A.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	A.R	Object Management Group, Inc., <u>Mobile Agent Facility Specification</u> , New Edition: January 2000; GMD FOKUS and IBM (1999)
	A.S	Biesczczad, Andrzej et al., "Management of Heterogeneous Networks with Intelligent Agents", <u>Bell Labs Technical Journal</u> , Lucent Technologies, Inc., (October-December 1999), pp. 109-135.
	A.T	U.S. Patent Application Serial No. 08/822,993, entitled "Apparatus and Method for Optimizing the Performance of Computer Tasks Using Intelligent Agent with Multiple Program Modules Having Varied Degrees of Domain Knowledge," filed on March 21, 1997 by Bigus et al. (RO996-052)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not in conformance. Draw line through citation only if not in conformance and not considered. Include a copy of this form with next communication to applicant.

SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. IBM/201DV1 (ROC920010146US2)	SERIAL NO. 10/078,013
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37 CFR 1.98(b)(4)					

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	B.A									
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	B.M						
	B.N						
	B.O						
	B.P						
	B.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	B.R	Kopelman; Accelerated Engineering: The 3 Secrets to Just-in-time Product Development (JITPD); WESCON/94. 'Idea/Microelectronics'. Conference Record; 27-29 Sept. 1994; pp 362-367
	B.S	Stidolph; Evolutionary Design of Complex Software (EDCS) Demonstration Days 1999; ACM SIGSOFT Software Engineering Notes; Vol. 25 Is. 1; January 2000; pp. 95-108.
	B.T	Purssell; The Product Release Interface: Environment and Concerns; Fifth Electronic Manufacturing Technology Symposium International 'Design-to-Manufacturing Transfer Cycle', 10-12 Oct. 1988 pp. 51-56.

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SUBSTITUTE FORM PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. IBM/201DV1 (ROC920010146US2)	SERIAL NO. 10/078,013
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 CFR 1.98(b))				APPLICANT Joseph Philip Bigus et al.	Confirmation No. 3985
				FILING DATE February 18, 2002	GROUP 2193

U.S. PATENT DOCUMENTS

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	C.B							
	C.C							
	C.D							
	C.E							
	C.F							
	C.G							
	C.H							
	C.I							
	C.J							
	C.K							

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	C.L						
	C.M						
	C.N						
	C.O						
	C.P						
	C.Q						

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

	C.R	Manderson; Satellite Systems: How to Distribute Data, Computing, Consulting, and Responsibility; Proceedings of the 17th Annual ACM SIGUCCS Conference on User Services; October 1989; pp. 41-46.
	C.S	
	C.T	

EXAMINER	DATE CONSIDERED
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